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DATE MAILED: 05/22/2003

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/200,985	11/30/1998	MICHELLE Y. KIM	YO9-98-446	1001
75	90 05/22/2003			
MCGUIREWOODS, LLP.			EXAMINER	
1750 TYSONS BLVD. SUITE 1800			NGUYEN, MAIKHANH	
MCLEAN, VA 22102-4215			ART UNIT	PAPER NUMBER
			2176	18

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Office Action Summary Application No. Og/200,985 KiN ET AL Examiner Art Unit Malkhanh Nguyen 2176 Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION. Extensions of time may be available unrise the processor of 37 CFR 1.15(a). In one event, however, may a reply be sinely lind after Stx (9) MONTHS from the manifect of this communication. If the period for reply specially dear of the sometime can be application to become ABANDONED (SU S.C. § 1.13). The manifect of the may replaced active the processor of 37 CFR 1.15(a). In one event, however, may a reply be sinely lind after Stx (9) MONTHS from the manifect of this communication. If the period for reply period dear of this communication. If the period for reply period dear of this communication. If the period for reply period of the second active period for reply to the period dear of this communication. If the period for reply period dear this special period for reply to the second active period of the period of the period of the second active period for reply period of the p				M.
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Art Unit: 2176

DETAILED ACTION

- 1. The action is responsive to the Request for Reconsideration filed 04/17/2003 to the application filed on 11/03/1998.
- Claims 1-7 are currently pending in this application. Claims 3-4 are allowed.
 Claim 1 is independent claim.

Claim Rejections - 35 USC § 103

- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kim et al.** (U.S. 5,659,790) in view of **Graf** (U.S. 6,397,251) and further in view of **Zarros** (U.S. 5,682,384 – filed 10/1995).

As to independent claim 1, Kim teaches a method of progressive time stamp (ranges of time intervals; col.2, lines 1-25) resolution in a multimedia presentation (multimedia presentation; col.2, lines 1-25) comprising the steps of:

- supplying a player (user interactive screen; col. 5, lines 41-67) of a multimedia presentation (multimedia presentation; col.2, lines 1-25) with information comprising two labels, one for a multimedia object's (multimedia objects; col.4, lines 48-64) start time

Art Unit: 2176

(the process starts; col.6, lines 3-12) and one for the multimedia object's (multimedia objects; col.4, lines 48-64) end time (process ends; col.6, lines 54-63) relative to other multimedia object start and stop times (temporal relations; col.5, lines 1-67), and three durations (time durations; col.5, lines 1-67), a minimum duration (a minimum length; col.4, lines 1-41), a maximum duration (a maximum length; col.4, lines 1-41) and a preferred duration (an optimum length; col.4, lines 1-41) for each multimedia object prior to start playback (playback; col.3, lines 40-48) of the multimedia object; and

However, Kim does not explicitly teach "resolving the durations of multimedia objects using the information based on actual multimedia object durations and actual delay arrival time of information of multimedia objects to be played."

Graf teaches resolving the durations of multimedia objects using the information based on actual multimedia object durations and delay arrival time of information of multimedia objects to be played (providing an additional time delay for the presentation of a multimedia file in order to account for the delayed arrival of frames at the receiver due to the spreading of the transmission of the frames over time... The time delay can be simply adapted to other features of the underlying network... The relationship between additional time delay and transmission rate can be calculated; col.4, lines 15-53/ the arrival of the information at the receiver is delayed; col.5, lines 49-56).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made combine the teachings of Graf with Kim because it would have provided the enhanced capability for producing the schedule for transmission of the video file that prevents buffer underflow or overflow in the receiver.

Art Unit: 2176

The combination of Kim and Graf do not explicitly teach "resolving the durations of multimedia objects using the information based on actual multimedia object durations and actual delay arrival time of information of multimedia objects to be played."

Zarros teaches resolving the durations of multimedia objects using the information based on actual multimedia object durations and actual delay arrival time of information of multimedia objects to be played (the actual transmission period ...exactly the average delay D could be found ... the actual arrival time; col.5, lines 19-46).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Zarros's teaching in the system of Kim as modified by Graf because it would have provided the enhanced capability for dealing with packets arriving from other participants.

As to dependent claim 2, Kim teaches (col.6, lines 1-67) the step of resolving comprises the steps of:

- calculating minimum and maximum end times for over all multimedia objects (the different between the specified optimal play duration of the episode and the schedule play duration)
- calculating actual end times that are shared by all multimedia objects (get the global minimum and maximum lengths)
- recalculating a preferred duration of each multimedia object (the schedule for the multimedia story is output and the multimedia document is run according to the schedule in output block).

As to dependent claim 5, Kim teaches playing the each multimedia object (multimedia objects in a story are viewed... which they play; col.3, lines 55-67).

Art Unit: 2176

As to dependent claim 6 Kim teaches the multimedia object durations are larger than a preferred duration (various times and with differing time durations; col.5, lines 23-41).

As to dependent claim 7, Kim teaches the actual multimedia object durations are smaller than a preferred duration (various times and with differing time durations; col.5, lines 23-41).

Allowable Subject Matter

4. Claims 3 and 4 are allowed.

Response to Arguments

5. Applicant's arguments filed on April 17, 2003 have been fully considered but they are not persuasive.

The broad claim limitations used in the application continues to read on the references presented in the previous office action.

Applicant argues that Zarros never, in fact, uses or even remotely comtemplates "the actual delays." (Remarks, page 4, lines 15-16)

In response, Zarros' teaching (the actual transmission period ... exactly the average delay D could be found ... the actual arrival time; col.5, lines 19-46) meets this limitation.

Art Unit: 2176

Applicant argues that the present invention accommodates actual delays automatically since any actual delays that occur during transmission ...has been received at the client. (Remarks, page 4, lines 28-31)

In response, Applicant is arguing the disclosure of the invention, not the claim limitation.

The combination of Kim, Graf, and Zarros meets all limitations as claimed by the Applicant.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (703) 306-

Art Unit: 2176

0092. The examiner can normally be reached on Monday - Friday from 9:00am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (703) 308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5403 for regular communications and (703) 308-5403 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Contact Information:

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks Washington, D.C. 20231

Or fax to:

AFTER-FINAL faxes must be signed and sent to (703) 746-7238.

OFFICIAL faxes must be signed and sent to (703) 746-7239.

NON OFFICIAL faxes should be sent to (703) 746-7240.

All OFFICIAL faxes will be handled and entered by the docketing personnel. The date of entry will correspond to the actual FAX reception date unless that date is a Saturday, Sunday, or a Federal Holiday within the District of Columbia, in which case the official date of receipt will be the next business day. The application file will be promptly forwarded to the Examiner unless the application file must be sent to another area of the Office, e.g., Finance Division for fee charging, etc.

Art Unit: 2176

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist). All hand-delivered responses will be handled and entered by the docketing personnel. Please do not hand deliver responses directly to the Examiner.

Maikhanh Nguyen May 15, 2003

JOSEPH H. FEILD